

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JASON SEWARD and
JANET HOFAKER,

Defendants.

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8:16CR23

ORDER

This matter is before the court on the motion for an extension of time by defendant Janet Hofaker (Hofaker) (Filing No. 41). Hofaker seeks an extension of twenty-one days in which to file pretrial motions in accordance with the progression order (Filing No. 21). Hofaker's counsel represents Hofaker will file an affidavit wherein she consents to the motion and acknowledges she understands the additional time may be excludable time for the purposes of the Speedy Trial Act. Upon consideration, the motion will be granted and the pretrial motion deadline will be extended to both defendants.

IT IS ORDERED:

Defendant Hofaker's motion for an extension of time (Filing No. 41) is granted. Hofaker and Jason Seward are given until **on or before March 31, 2016**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **March 8, 2016, and March 31, 2016**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendants' counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 8th day of March, 2016.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge